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churches were still open, the bugles were suddenly sounded and cannon fired. The alarm spread that General Lee's army was advancing on the town to burn it. There were no Federal troops in it at that time. So the staid citizens of the town mustered, and shouldering their muskets boarded a train to go forth, as they thought to meet the Confederate Army. I can see their stooped shoulders and gray heads now as they marched past, peering into the darkness through their spectacles. Oh, such sorry warriors! But it was as fine a blaze of courage as any that illumined the war. The courage blazed in vain. When the train reached the hills it was found that there was not a Confederate soldier within fifty miles. What happened then was told me by the officer commanding the expedition.

The men alighted, formed in column, and boldly advanced into the sleeping village near where the train had halted. When no one appeared they held a brief council, and then, to the dismay of their leader, made a rush upon the village, firing their muskets, breaking into the houses and seizing upon whatever came first to hand — churns, rocking-chairs, feather beds, sewing machines, etc. One man appeared with a huge copper kettle on his back. In vain their captain commanded them to give up their spoils, telling them that the people were harmless and poor, and most of them loyal to the Union.

They were crazed with excitement and rage, shouting: "Loot them! Loot them! Booty of war!"

He compelled some of them to leave their plunder behind them, but when the train arrived at home many of them marched away in triumph with their stolen goods, among them the conqueror of the copper kettle. Yet these men were class leaders, deacons and pious members of the Christian church.

I remember a company of young men, the sons of Scotch and Scotch-Irish families, honorable, devout, gentle folk, who enlisted in the Northern army to serve their country, and, as they thought, their God. They went through the war gallantly. Whatever was best and highest in its discipline they took and assimilated; it became part of their character and life. Yet almost every one of those men brought home spoons, watches and jewelry which he had taken from Southern homes.

It was the breath of war which had made them for the time heroes, murderers and thieves.

I remember another company recruited from the same class for the Confederate army. They fought bravely, remaining in the service during the full five years. Of those still alive at Lee's surrender, every man sooner or later filled a drunkard's grave.

Since the close of that war I have read and listened to countless pæans in the South and in the North to the dauntless courage of the heroes who gave their lives for the cause which they held just.

But I never yet have heard a word of the other side of the history of that great campaign, which is equally true, of the debilitating effect upon most men, in mind and morals, of years in camp, and the habits acquired of idleness, drunkenness and of immorality.

The American is not used to idleness, nor to military discipline. Put a gun in his hand, and give him noth-

ing to do but to wait for somebody to kill, and the monkey or beast in him will soon show itself.

After thirty years of peace, a sudden effort is now being made by interested politicians to induce the American people to make war its regular business. The army is to be largely increased. Many young men in all classes expect to find an opening in it to earn their livelihood, to make a career for life. The talk of glory and heroism for the service of the country is very tempting to these gallant immature boys.

* * * * *

Our brave young fellow sees only the waving of the flag. Before he goes into army for the rest of his days, let him look more closely into the life of it, to see what in time it will do to him, to his mind, his manners, and the soul inside of them.— *The Independent*.

The Arbitration Court.

The Project of a Convention for the Settlement of International Disputes, agreed to by all the Representatives at the Hague Conference:

PART I. THE MAINTENANCE OF GENERAL PEACE.

ARTICLE 1. With the object of avoiding as far as possible recourse to force in international relations, the signatory Powers agree to employ all their efforts to bring about by pacific means the solution of differences which may arise between states.

PART II. GOOD OFFICES AND MEDIATION.

ARTICLE 2. The signatory Powers decide that in case of grave difference of opinion or conflict they will, before appealing to arms, have recourse, as far as circumstances permit, to the good offices or to the mediation of one or more friendly Powers.

ARTICLE 3. Independently of this, the signatory Powers deem it useful that one or more disinterested Powers should offer of their own accord to the disputing states, as far as circumstances permit, their good offices or mediation, either before or during hostilities; the exercise of this right shall never be regarded by either of the parties in dispute as an unfriendly act.

ARTICLE 4. The rôle of mediator shall consist in the conciliation of conflicting claims and in the appeasing of resentments which may have arisen between the disputing states.

ARTICLE 5. The functions of the mediator shall cease the moment that it is stated either by one of the disputing parties or by the mediator himself that the basis of a friendly understanding proposed by him is not accepted.

ARTICLE 6. Good offices and mediation, either upon the application of the disputing parties or upon the initiative of the neutral Powers, shall have exclusively an advisory character, and shall be of no obligatory force.

ARTICLE 7. The acceptance of mediation shall not have the effect, in the absence of any agreement to the contrary, of interrupting, retarding or hindering mobilisation and other warlike preparations. If mediation should take place after the outbreak of hostilities, it shall not, in the absence of any agreement to the contrary, interrupt the course of military operations.

ARTICLE 8. The signatory Powers agree to recommend the application, in circumstances which permit of it, of special mediation in the following form: In the case of grave disagreement endangering peace, the disputing states should each choose one Power to which to entrust the mission of entering into direct communication with the power chosen by the other side, for the purpose of preventing the rupture of pacific relations. During the continuance of their mandate, which, unless the contrary is stipulated, shall not last more than thirty days, the contending states shall cease all direct relations in regard to the question in dispute, which shall be considered as referred exclusively to the mediating Powers. They must apply all their efforts to arranging the difference. In case of the actual rupture of pacific relations, these Powers remain charged with the common mission of taking advantage of every opportunity to reestablish peace.

PART III. INTERNATIONAL COMMISSIONS OF INQUIRY.

ARTICLE 9. In international disputes, involving neither national honor nor essential interests, and arising from a divergence of opinion on matters of fact, the signatory Powers judge it advisable, in order to facilitate the solution of these disputes, that the parties who may not have been able to agree by diplomatic means, should institute, as far as circumstances permit, an International Commission of Inquiry, in order to clear up all questions of actual fact by an impartial and conscientious examination.

ARTICLE 10. The International Commissions of Inquiry shall be constituted by a special convention between the parties in litigation. This convention shall specify the facts to be examined, and the scope of the powers of the Commissioners. It shall also regulate the mode of procedure.

ARTICLE 11. The interested Powers undertake to furnish to the Commission, to the largest extent which they deem possible, all the means and all the necessary facilities for completely ascertaining and accurately appreciating the facts in question.

ARTICLE 12. The Commission shall present to the interested Powers its report, signed by all the members of the Commission.

ARTICLE 13. The report of the Commission shall have nothing of the character of an arbitral sentence; it leaves the Powers entire freedom as to what effect should be given to this declaration.

PART IV. ARBITRAL JUSTICE.

ARTICLE 14. International arbitration has for its object the settlement of international disputes between nations by judges of their own choice, and in accordance with their reciprocal rights.

ARTICLE 15. In questions of law, and especially in questions of the interpretation or application of international treaties, arbitration is recognized by the signatory Powers as the most efficacious and at the same time the most equitable means of adjusting cases in dispute not settled by diplomatic methods.

ARTICLE 16. The agreement to arbitrate may be made either for disputes already in existence or for disputes which may subsequently arise. It may deal with every sort of dispute, or be limited solely to disputes of a specified category.

ARTICLE 17. The agreement to arbitrate involves an

engagement to submit in good faith to the arbitral sentence.

ARTICLE 18. Independently of general or particular treaties which bind the signatory Powers to have recourse to arbitration, these Powers reserve the right to conclude, either before the ratification of the present Act or afterwards, new agreements, general or particular, with a view to extending obligatory arbitration to all the cases to which they shall deem it applicable.

ARTICLE 19. The signatory Powers deem it useful to lay down certain rules of arbitral jurisdiction and procedure. These regulations are only applicable in so far as the parties themselves do not adopt other rules for this purpose.

PART V. THE PERMANENT COURT OF ARBITRATION.

ARTICLE 20. With the object of facilitating immediate recourse to arbitration for international differences not settled by diplomatic methods, the signatory Powers engage to organize a Permanent Court of Arbitration accessible at all times and exercising its functions, in the absence of contrary stipulations by the parties in the dispute, in conformity with the rules of procedure inserted in the present Convention.

ARTICLE 21. This Court will be competent to deal with all cases of arbitration unless the disputing parties agree to establish a special arbitral jurisdiction.

ARTICLE 22. An International Bureau established at The Hague and placed under the direction of a permanent secretary-general shall serve as an office for the Court. It shall be the intermediary of all communications relating to the sittings of the Court. It shall have charge of the archives and manage all administrative business.

ARTICLE 23. Each signatory Power shall designate, in the three months following the ratification of the present Act, not more than four persons recognised as competent in dealing with questions of international law, and as of the highest personal integrity, and who are ready to accept the office of arbitrators. The persons thus nominated shall be entitled members of the Court and their names entered upon a list which it shall be the duty of the Bureau to communicate to all the signatory Powers. The Bureau shall also report to the signatory Powers every modification in the list of arbitrators. Two or more Powers may agree to designate in common one or more members. The same person may be nominated by different Powers. Members of the Court shall be appointed for a term of six years, and they shall be eligible for reappointment. In the case of the death or retirement of a member of the Court the vacancy shall be filled in the same way that the original appointment was made.

ARTICLE 24. The signatory Powers who shall desire to appeal to the Court for the settlement of a difference arising between them, shall choose from the general list the number of arbitrators mutually agreed upon by themselves. They will notify the Bureau of their intention to appeal to the Court and the names of the arbitrators whom they have chosen. In the absence of agreement to the contrary, the arbitral tribunal shall be constituted according to the rules laid down in the 31st article of the present Convention. The arbitrators thus named shall form a tribunal of arbitration for the case in ques-

tion. They shall meet on the date fixed by the disputing parties.

ARTICLE 25. The tribunal shall usually sit at The Hague, but it may under urgent circumstances sit elsewhere with the consent of the disputing parties.

ARTICLE 26. Any Power, even though not a party to this convention, may have recourse to the Court under the conditions laid down in the present Convention.

ARTICLE 27. The signatory Powers, as far as circumstances permit, shall consider it their duty, in a case where an acute conflict threatens to break out between two or more of their number, to remind them that the Permanent Court is open to them. This action can only be regarded as an act of good offices.

ARTICLE 28. A Permanent Council, composed of the diplomatic representatives of the signatory Powers accredited to The Hague and of the Minister of Foreign Affairs of Holland, acting as president, shall be constituted in this city as soon as possible after the ratification of the present Convention. This Council shall be charged with the establishment and organization of the permanent Bureau, which shall be placed under its direction and control. It will notify the Powers of the constitution of the Court, and see to its being duly installed. It shall draw up its order of procedure and all other necessary regulations. It shall decide all questions relating to the working of the tribunal. It shall have absolute power as to the nomination, suspension, or dismissal of functionaries and employes of the Bureau. It shall fix the emoluments and salaries, and shall control all the general expenditure. The presence of five members shall constitute a quorum. The decisions shall be made by majority vote. The Council shall every year report to the signatory Powers upon the work of the Court and the way in which the administrative service has been performed.

ARTICLE 29. The cost of the Bureau shall be borne by the signatory Powers in the proportion established for the International Bureau of the Postal Union.

A. The members of the Court, in the exercise of their functions, shall enjoy diplomatic privileges and immunities.

B. The Bureau is authorized to place its premises and its organization at the disposal of the signatory Powers for the exercise of any special arbitral jurisdiction.

C. The signatory Powers pledge themselves to communicate to the Bureau a copy of every arbitral stipulation agreed upon between them, all judgments resulting from arbitral jurisdictions other than that of the Court, laws and regulations, and all documents setting forth the execution of the judgments pronounced by the Court.

ARBITRATION PROCEDURE.

ARTICLE 30. The Powers which accept arbitration shall sign a special Act, hereafter referred to as the "Convention," in which is clearly set out the case to be decided, as well as the extent of the powers of the arbitrators. In this Act also must be embodied the engagement of the parties to submit in good faith to the arbitral award.

ARTICLE 31. The arbitral functions can be conferred upon a single arbitrator, or upon several arbitrators named by the parties, as they please, or chosen by them from among the members of the Permanent Court of Arbitration established by the present Act. In the ab-

sence of an agreement to the contrary, the formation of the arbitral tribunal shall be effected in the following manner: Each party shall name two arbitrators, and these together shall choose an umpire. If there is a tie, the choice of umpire shall be confided to a third Power, named by mutual agreement of the parties. If no agreement is arrived at on this subject, each party shall name a different Power, and the choice of the umpire shall be made in concert by the Powers thus named.

ARTICLE 32. When the arbitrator is a sovereign or the head of a state, the arbitral procedure shall be exclusively subject to his direction.

ARTICLE 33. The umpire shall be president, *de jure*, of the tribunal. When the tribunal does not include an umpire it shall name its own president.

ARTICLE 34. In the absence of any stipulation to the contrary, in the case of the death, resignation, or enforced absence from any cause of one of the arbitrators, he shall be replaced in the same way that he was originally nominated.

ARTICLE 35. The seat of the tribunal shall be designated by the parties in dispute; in the absence of any designation on their part, the tribunal shall sit at The Hague. The place selected can only be changed in virtue of a fresh agreement between the interested states, or in case of urgent necessity, by the decision of the tribunal itself.

ARTICLE 36. The parties in dispute have the right to appoint delegates or special agents to the tribunal, commissioned to act as intermediaries between the tribunal and the litigants. They may entrust the defense of their rights and interests before the tribunal to counsel or advocates.

ARTICLE 37. The tribunal shall decide what language shall be used in its proceedings.

ARTICLE 38. The arbitral procedure consists as a general rule, of two phases, the first preliminary and the second definitive. The first consists of the communication, made by the agents of the parties in dispute, to the members of the tribunal and to the opposing parties, of all papers, printed or written, and of documents containing the case of the parties. The second is oral, and consists of the hearing before the tribunal.

ARTICLE 39. Every document produced by one party must be communicated to the other.

ARTICLE 40. The pleadings before the tribunal shall be directed by the President. They shall be recorded in reports drawn up by secretaries named by the President. These reports shall constitute the only authentic record of the proceedings.

ARTICLE 41. The preliminary proceedings being over and the pleadings having begun, the tribunal shall have a right to refuse to receive any new papers and documents which the representative of one of the parties wishes to submit without the consent of the other.

ARTICLE 42. The tribunal shall remain free to take into consideration new papers and documents upon which the agents or counsel of the parties in the dispute have relied in their pleadings. It shall have the right to require the production of these papers or documents, without being obliged to communicate them to the opposite side.

ARTICLE 43. The tribunal may, besides, require from the agents of the parties, the production of all papers and

all the explanations which it needs. In case of refusal the tribunal shall make note of the fact.

ARTICLE 44. The agents and the counsel of the litigants are authorized to present orally to the tribunal everything that they deem useful in support of their cause.

ARTICLE 45. They shall have a right to raise questions and take exceptions. The decisions of the tribunal upon these points shall terminate the controversy, and must not give rise to any further discussion.

ARTICLE 46. The members of the tribunal shall have the right to put questions to the agents and to the counsel of the parties in dispute, and to demand from them explanations upon doubtful points. Neither the questions asked nor the observations made by members of the tribunal during the course of the proceedings, shall be regarded as expressions of the opinion, either of the tribunal in general, or of its members in particular.

ARTICLE 47. The tribunal alone is authorized to decide questions as to its competence, by interpreting the Convention or other treaties which may be quoted in point, and by the application of the principles of international law.

ARTICLE 48. The tribunal shall have the right to make rules of procedure as to the course of the trial, to determine the forms and the delays to be accorded to each party for arriving at its conclusions; and to enforce all the formalities attendant upon the admission of evidence.

ARTICLE 49. The agents and the counsel of the disputing parties, having presented all the information and proofs in support of their case, the president of the tribunal shall pronounce the closure of the proceedings.

ARTICLE 50. The deliberations of the tribunal shall take place with closed doors. Every decision shall be made by a majority of the tribunal. The refusal of any member to vote must be stated in the reports.

ARTICLE 51. The award decided by a majority of votes shall be accompanied by a statement of the reasons upon which it is based. It must be drawn up in writing and signed by each of the members of the tribunal. Those members who are in the minority can state, in signing, their dissent.

ARTICLE 52. The award shall be read in a public sitting of the tribunal, the agents and counsel of the disputing parties present or duly summoned.

ARTICLE 53. The award duly pronounced and notified to the agents of the litigating parties, shall decide the dispute definitely, and close the arbitration instituted by the Convention.

ARTICLE 54. The parties may reserve to themselves by their agreement the right to demand a revision of the arbitral judgment. In this case, and in the absence of any stipulation to the contrary embodied in the Convention, the revision of the award may be demanded from the tribunal which has pronounced it, but only on account of the discovery of a new fact of such a character as to exercise a decisive influence upon the sentence, and which at the moment of the sentence was unknown to the tribunal itself, and to the party demanding the revision. The proceedings in revision can only be begun by decision of the tribunal, stating expressly the existence of the new fact, and recognizing that it possesses the character

defined in the preceding paragraph, and declaring that the request is admissible on that ground. No request for revision can be entertained, unless it be made within the period stipulated in the agreement between the parties.

ARTICLE 55. The award shall be obligatory only for the parties which have concluded the Convention. When it is a question of the interpretation of a Convention entered into by a greater number of Powers than those between which the difference has arisen, the parties to the dispute shall notify the other Powers which have signed the Convention, of the agreement which they have concluded. Each one of these Powers shall have a right to take part in the proceedings, but if one or more among them avail themselves of this permission, the interpretation embodied in the award becomes obligatory upon them.

ARTICLE 56. Each party shall bear its own costs and an equal part of the cost of the tribunal, without prejudice to the penalties which may be inflicted by the tribunal upon one or other of the parties.

(The remaining articles to 61 treat of the ratification of the convention, the provision for the adherence of the non-signatory powers, of those not represented at The Hague, and of notification of withdrawing from the convention. These we did not have in time for insertion.)

The Hague Convention Extending the Principles of the Red Cross Convention.

ARTICLE 1. Military hospital ships, that is, ships constructed or controlled by states especially and only to bear aid to the wounded, sick and ship-wrecked and the names of which shall have been communicated to the belligerent powers before they are put into use, shall be respected and cannot be captured during the continuance of hostilities. These ships shall not be subject to the same rule as ships of war as regards their stay in a neutral port.

ARTICLE 2. Hospital ships equipped entirely or partly at the expense of private individuals or aid-societies which are officially recognized, shall likewise be respected and exempt from capture, if the belligerent power on which they are dependent has given them an official commission and communicated their names to the opposing power at the opening or during the course of hostilities, or in any event before they are put into use.

These ships must be bearers of a document from the proper authorities declaring that they have been under their direction during equipment and at their final departure.

ARTICLE 3. Hospital ships equipped entirely or in part at the expense of private individuals or societies officially recognized in neutral countries shall be respected and exempt from capture, if the neutral power under whose jurisdiction they belong has given them an official commission and communicated their names to the belligerent powers at the opening or during the course of hostilities, or in any event before they are put into use.

ARTICLE 4. The ships mentioned in Articles 1, 2 and 3 shall bear aid and assistance to the wounded, sick and shipwrecked of the belligerents without distinction of nationality.